

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
DANIEL ZAMORA,

Plaintiff,

-against-

U.S. COMMODITIES FUTURES AND EXCHANGE
COMMISSION,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
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15 Civ. 830(AT) (GWG)

ORDER

Having received no objections to Magistrate Judge Gabriel W. Gorenstein's November 15, 2016 report and recommendation, the Court reviewed the recommendation and found no "clear error on the face of the record." *Walker v. Vaughn*, 216 F. Supp. 2d 290, 292 (S.D.N.Y. 2002) (quoting *Urena v. New York*, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001)) (internal quotation marks omitted). Judge Gorenstein recommends that the Court dismiss this case without prejudice pursuant to Federal Rule of Procedure 4(m). As Judge Gorenstein explains, Plaintiff failed to properly serve Defendant and failed to respond to the Court's order to show cause as to why the case should not be dismissed. The Court accepts and adopts the thorough and well-reasoned report and recommendation.

Accordingly, the case is DISMISSED without prejudice pursuant to Rule 4(m).

The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: December 13, 2016
New York, New York



ANALISA TORRES
United States District Judge